

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DONALD GOLDEN, §  
#83671-079 §  
Movant, §  
§  
v. § No. 3:19-CV-1991-D  
§  
UNITED STATES OF AMERICA, §  
Respondent. §

**ORDER**

After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the United States Magistrate Judge dated September 2, 2022, the court finds that the findings and recommendation of the magistrate judge are correct, and they are adopted as the findings, conclusions, and recommendation of the court.

Accordingly, the September 2, 2022 findings, conclusions, and recommendation of the United States Magistrate Judge are adopted, and movant's August 23, 2022 application to appeal *in forma pauperis* is denied. For the reasons set out in the magistrate judge's April 11, 2022 findings, conclusions, and recommendation, the court finds that movant's appeal is not taken in good faith and presents no legal points of arguable merit, and would be frivolous.

Movant may challenge the court's finding that his appeal is not taken in good faith by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court for the United States Court of Appeals for the Fifth Circuit within 30 days from the date of this order. *See Fed. R.*

App. P. 24(a)(5).

**SO ORDERED.**

October 28, 2022.

  
\_\_\_\_\_  
SIDNEY A. FITZWATER  
SENIOR JUDGE